

Application No. *Not Yet Assigned*
 In Reply to USPTO Correspondence of N/A
 Attorney Docket No. 3961-040482

Customer No. 28289

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

#3

Application No. : *Not Yet Assigned*
 Applicant : **John O. GUROSIK et al.**
 Filed : *Concurrently Herewith*
 Title : **TREE HARVESTER ASSEMBLY**
 International Appln. No. : PCT/US02/24718
 International Filing Date : 1 August 2002
 Priority Date Claimed : 1 August 2001

**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT
 ABANDONED UNINTENTIONALLY UNDER 37 C.F.R. 1.137(b)**

MAIL STOP PCT
 Commissioner for Patents
 P. O. Box 1450
 Alexandria, VA 22313-1450
Attention: International Division, Legal Staff

Sir:

This application became abandoned on February 1, 2004, by reason of failure to enter the national phase within thirty (30) months of the priority date of August 1, 2001. The entire delay in entering the national phase of this application until the filing of a grantable petition pursuant to 37 C.F.R. § 1.137(b) was unintentional. A proper response is attached hereto and comprises the following:

- Government Filing Fee in the amount of \$690;
- a surcharge for the late filing of a Declaration (37 C.F.R. § 1.492(e)) in the amount of \$65;
- Preliminary Amendment;

TELEPHONE (703) 305-6000 FAX (703) 305-6001

15 FEB 2005

750-0000

{W0161691.1}

RECEIVED
 2 FEB 2005
 Legal Staff
 International Division

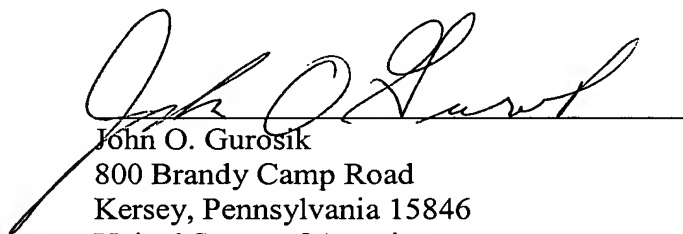
- Declaration And Power Of Attorney For Patent Application; and
- Transmittal Letter To The United States Designated/Elected Office (DO/EO/US) Concerning A Filing Under 35 U.S.C. § 371 (Form PTO-1390).

A copy of the Petitioners' published application is attached hereto as a courtesy copy, although the application was previously communicated by the International Bureau (37 C.F.R. § 1.137(b)).


Further, a separate check in the amount of \$750 for the Petition Fee pursuant to 37 C.F.R. § 1.17(m) is attached hereto.

We hereby declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Date: 1-10-05


John O. Gurosik
800 Brandy Camp Road
Kersey, Pennsylvania 15846
United States of America

Date: 1-10-05


Joseph C. Largey
257 Coal Hollow Road
Kersey, Pennsylvania 15846
United States of America